

# Order

Michigan Supreme Court  
Lansing, Michigan

May 7, 2009

Marilyn Kelly,  
Chief Justice

137527

Michael F. Cavanagh  
Elizabeth A. Weaver  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman  
Diane M. Hathaway,  
Justices

FIRST NATIONAL BANK OF CHICAGO,  
as Trustee for BANKBOSTON HOME  
EQUITY LOAN TRUST 1998-1,  
Plaintiff-Appellee,

v

SC: 137527  
COA: 272431  
Ct of Claims: 03-000057-MT

DEPARTMENT OF TREASURY and  
DEPARTMENT OF NATURAL RESOURCES,  
Defendants-Appellants.

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On order of the Court, the application for leave to appeal the September 9, 2008 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the plaintiff assignee of the mortgage on the property in question had standing to assert the due process rights of its assignor, which was formerly known as BankBoston, NA; and, if so, (2) whether BankBoston's due process rights were violated by the defendants' mailing of notice to FNB – the entity into which BankBoston had merged and to which it had changed its name – at FNB's address, rather than to the Boston address listed on BankBoston's mortgage assignment.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 7, 2009

*Corbin R. Davis*

Clerk